

**August 22, 2006**

SUBJECT: Approval of Final Map (Tract No. 9782, Park Villas) - 67 Unit Townhomes at the Southwest Corner of Morse Avenue and Toyama Drive By 430 Toyama, LLC

BACKGROUND

Tract No. 9782 is a two phase 67 unit townhouse project. The tentative map for the phase I area was approved by the Planning Commission on September 27, 2004. The tentative map for the phase II area was approved by the Planning commission on September 26, 2005.

Location:	430 Toyama Drive and 1038 Morse Avenue
Zoning:	M-S/ITR/R3/PD (Industrial and Service / Industrial to Residential / Medium-Density Residential / Planned Development
Number of Lots:	67 building lots and 4 common lots
Area:	3.39 acres

DISCUSSION

The final map for both phases of development of Tract No. 9782 has been examined by the Public Works Department staff and found to be in conformance with Sunnyvale Municipal Code Title 18 Subdivision and the State of California "Subdivision Map Act". The public improvement plans and specifications for both phases have also been reviewed by the Public Works Department staff and they conform to the subject final map. The developer will execute the subdivision agreement and provide improvement securities for both phases (\$358,000.00 for faithful performance and \$358,000.00 for labor and material) to guarantee completion of all public improvements. The developer shall furnish related documentation and fee payments prior to map recordation.

RECOMMENDATION

It is recommended that the City Council approve the final map for Tract No. 9782 and direct staff to forward the final map for recordation upon developer's execution of the subdivision agreement, submittal of improvement securities, payment of development fees and other documents deemed necessary by the Director of Public Works.

Reviewed by:

Marvin A. Rose, Director, Public Works
Prepared by: Judy Chu, Civil Engineer

Approved by:

Amy Chan
City Manager

Attachment: Final Map

OWNER'S STATEMENT

I (WE) HEREBY STATE THAT I (WE) ARE THE OWNER(S) OF, OR HAVE SOME RIGHT, TITLE, OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THE HEREIN MAP; THAT I (WE) AM (ARE) THE ONLY PERSON(S) WHOSE CONSENT IS (ARE) NECESSARY TO PASS A CLEAR TITLE TO SAID REAL PROPERTY; AND THAT I (WE) HEREBY CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR ANY AND ALL PUBLIC UTILITIES INCLUDING POLES, WIRES, CONDUITS, GAS, WATER, CABLE AND ALL APPURTENANCES THEREON, ABOVE, UNDER, UPON, OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED AND DELINEATED HEREON AS "PUE" (PUBLIC UTILITY EASEMENT). THE ABOVE MENTIONED PUBLIC UTILITY EASEMENT SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PUBLIC UTILITY STRUCTURES, IRRIGATION SYSTEMS, AND APPURTENANCES THERETO AND LAWFUL FENCES.

WE HEREBY ESTABLISH ON THIS MAP, A PRIVATE EASEMENT FOR STORM DRAINAGE PURPOSES AND SANITARY SEWER PURPOSES DESIGNATED AND DELINEATED "PSDE" (PRIVATE STORM DRAINAGE EASEMENT) AND "PSSE" (PRIVATE SANITARY SEWER EASEMENT) FOR THE INSTALLATION AND MAINTENANCE OF PRIVATE STORM AND PRIVATE SANITARY SEWER FACILITIES. THOSE PRIVATE EASEMENTS ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT THOSE PRIVATE UTILITY FACILITIES AND APPURTENANCES. THE MAINTENANCE, REPAIR, AND/OR REPLACEMENT OF PRIVATE STORM DRAINAGE AND SANITARY SEWER FACILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS AS DETERMINED BY THE APPROPRIATE COVENANTS, CONDITIONS AND RESTRICTIONS. SAID EASEMENTS ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION BY THE CITY OF SUNNYVALE.

WE ALSO HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR EMERGENCY VEHICLE ACCESS PURPOSES ON OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED AND DELINEATED "EVAE" (EMERGENCY VEHICLE ACCESS EASEMENT).

WE ALSO HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR PUBLIC SIDEWALKS PURPOSES ON OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED AND DELINEATED AS "PSWE" (PUBLIC SIDEWALK EASEMENT).

"LOT A, B, C & D", DESIGNATED ON THE HEREIN MAP, ARE COMMON AREAS FOR THE EXCLUSIVE USE OF THE RESIDENTS AND VISITORS OF TRACT NO. 9782. IT CONTAINS, BUT NOT LIMITED TO, PRIVATE INGRESS/EGRESS ACCESS, PRIVATE WALKWAYS, PRIVATE PARKING, PRIVATE UTILITIES, EMERGENCY VEHICLE ACCESS AND PUBLIC UTILITIES. "LOT A, B, C & D" WILL BE CONVEYED TO THE HOMEOWNERS' ASSOCIATION.

WE ALSO HEREBY RESERVE PRIVATE STREETS, DESIGNATED ON THE HEREIN MAP AS "LYON TERRACE, TIMOR TERRACE AND LINZ TERRACE" THE PRIVATE STREETS CONTAINED WITH THIS TRACT ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION FOR PUBLIC STREET PURPOSES.

WE ALSO HEREBY FOR THE OWNERS OF ALL LOTS SHOWN ON THE HEREIN MAP AND THEIR LICENSEES, VISITORS, AND TENANTS RECIPROCAL RIGHTS OF INGRESS AND EGRESS PURPOSES UPON AND OVER LOTS 1 THROUGH 52, LOTS 59 THROUGH 67 AND LOTS A THROUGH D AS DELINEATED HEREON AND DESIGNATED AS "PIE" (PRIVATE INGRESS AND EGRESS EASEMENT). THE MAINTENANCE, REPAIR, AND/OR REPLACEMENT OF SAID EASEMENTS SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS AS DETERMINED BY THE APPROPRIATE COVENANTS, CONDITIONS AND RESTRICTIONS. SAID EASEMENTS ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION BY THE CITY OF SUNNYVALE.

AS OWNER:

430 TOYAMA, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
BY: GREEN VALLEY CORPORATION, A CALIFORNIA LIMITED LIABILITY COMPANY, ITS MANAGER

BY: _____ DATE: _____
DAVID A. GIBBONS, VICE-PRESIDENT

TRUSTEE: FIRST SANTA CLARA CORPORATION, A CALIFORNIA CORPORATION

NAME: _____ TITLE: _____

OWNER'S ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF) SS

ON _____ BEFORE ME, _____

A NOTARY PUBLIC FOR THE STATE OF CALIFORNIA
PERSONALLY APPEARED _____

☐ PERSONALLY KNOWN TO ME - OR - ☐ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT. WITNESS MY HAND

NOTARY'S SIGNATURE _____

PRINTED NOTARY'S NAME _____

NOTARY'S PRINCIPAL PLACE OF BUSINESS _____

EXPIRATION OF NOTARY'S COMMISSION _____

TRACT NO. 9782 PARKSIDE VILLAS

CONSISTING OF THREE SHEETS
BEING A RESUBDIVISION OF TRACT NO. 9667,
"PARKSIDE VILLAS" OF SUNNYVALE,
SANTA CLARA COUNTY, CALIFORNIA,
FILED FOR RECORD IN BOOK 792 OF MAPS, AT
PAGES 42 AND 43, AND LYING ENTIRELY WITHIN
THE CITY OF SUNNYVALE,
COUNTY OF SANTA CLARA, CALIFORNIA
AND
BEING A RESUBDIVISION OF PORTIONS OF LOT NO. 2,
TRACT NO. 3315 "LAFFERTY SUBDIVISION"
OF SUNNYVALE, SANTA CLARA COUNTY, CALIFORNIA,
SURVEYED BY JONES, THENN AND ASSOCIATES,
FILED FOR RECORD IN BOOK 152 OF MAPS, AT
PAGE 31, AND LYING ENTIRELY WITHIN
THE CITY OF SUNNYVALE,
COUNTY OF SANTA CLARA, CALIFORNIA
JUNE 2006

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF GREEN VALLEY CORPORATION ON JULY 2004. I HEREBY STATE THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, AND THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THEY WILL BE SET IN SUCH POSITIONS ON OR BEFORE DECEMBER 2008, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DAVID B. VOORHIES, R.C.E. 26429
REGISTRATION EXPIRES: 03-31-08

DATE _____



SOILS REPORT NOTE

A SOILS REPORT HAS BEEN PREPARED BY AST INC., ENTITLED "GEOTECHNICAL/SOIL AND FOUNDATION INVESTIGATION", DATED JUNE 2005.

TRUSTEE'S ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF) SS

ON _____ BEFORE ME, _____

A NOTARY PUBLIC FOR THE STATE OF CALIFORNIA
PERSONALLY APPEARED _____

☐ PERSONALLY KNOWN TO ME - OR - ☐ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT. WITNESS MY HAND

NOTARY'S SIGNATURE _____

PRINTED NOTARY'S NAME _____

NOTARY'S PRINCIPAL PLACE OF BUSINESS _____

EXPIRATION OF NOTARY'S COMMISSION _____

CITY CLERK STATEMENT

I HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF SUNNYVALE, AT ITS REGULAR MEETING HELD ON THE _____ DAY OF _____, 2006, DULY APPROVED THE HEREIN FINAL MAP OF THE TRACT NO. 9782 AS SHOWN HEREON AND ACCEPTED ON BEHALF OF THE PUBLIC ALL EASEMENTS OFFERED FOR DEDICATION TO PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

KATHERINE CHAPPELEAR, CITY CLERK
CITY OF SUNNYVALE, CALIFORNIA

DATE: _____ SIGNED: _____
KATHERINE CHAPPELEAR

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE HEREIN FINAL MAP OF TRACT 9782; THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT, AS AMENDED, AND OF ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

DATE: _____ BY: _____
BARBARA KEEGAN, CITY ENGINEER
RCE #38124, EXPIRES 3-31-07
CITY OF SUNNYVALE, CALIFORNIA

I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATE: _____ BY: _____
HIRA RAINA,
ASSISTANT CITY ENGINEER
RCE#29621, EXPIRES 3-31-07
CITY OF SUNNYVALE, CALIFORNIA

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2006, AT _____, M
IN BOOK _____ OF MAPS, AT PAGES _____, SANTA CLARA
COUNTY RECORDS, AT THE REQUEST OF CHICAGO TITLE COMPANY

FILE NO. _____

FEE: _____

BRENDA DAVIS, COUNTY RECORDER

DEPUTY COUNTY RECORDER



**UNDERWOOD &
ROSENBLUM, INC.**
civil engineers and surveyors
1630 Oakland Road, Suite A114
San Jose, Ca. 95131
PHONE: (408) 453-1222 FAX: (408) 453-1207
SHEET 1 OF 3
(F:\PROJECTS\2006\JUN06\9782\3.FINAL MAP.dwg 6/27/2006 3:58:25 PM PST)

TRACT NO. 9782 PARKSIDE VILLAS

CONSISTING OF THREE SHEETS
BEING A RESUBDIVISION OF TRACT NO. 9667,
"PARKSIDE VILLAS" OF SUNNYVALE,
SANTA CLARA COUNTY, CALIFORNIA,
FILED FOR RECORD IN BOOK 792 OF MAPS, AT
PAGES 42 AND 43, AND LYING ENTIRELY WITHIN
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COUNTY OF SANTA CLARA, CALIFORNIA
AND
BEING A RESUBDIVISION OF PORTIONS OF LOT NO. 2,
TRACT NO. 3315 "LAFFERTY SUBDIVISION"
OF SUNNYVALE, SANTA CLARA COUNTY, CALIFORNIA,
SURVEYED BY JONES, THENN AND ASSOCIATES,
FILED FOR RECORD IN BOOK 152 OF MAPS, AT
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JUNE 2006

BASIS OF BEARINGS

BEARINGS ARE BASED UPON THE MONUMENT LINE OF TOYAMA
DRIVE AS SHOWN ON THAT MAP FILED IN VOLUME 152 OF MAPS
AT PAGE 31, SANTA CLARA COUNTY RECORDS, AND ESTABLISHED
BETWEEN MONUMENTS FOUND AS SHOWN NORTH 75°08'00" WEST

NOTES:

1. THE DISTINCTIVE BORDER LINE INDICATES THE BOUNDARY OF LAND
SUBDIVIDED BY THIS MAP AND CONTAINS OF 3.39± ACRES.
2. DISTANCES GIVEN IN FEET AND DECIMALS THEREOF.
3. ALL LOT AND EASEMENT BEARINGS NOT SHOWN ARE PARALLEL WITH
OR PERPENDICULAR TO THOSE SHOWN.

LEGEND:

- FOUND CITY MONUMENT AS NOTED
- 3/4" IRON PIPE TO BE SET,
TAGGED "RCE 28429"
- FOUND 3/4" OPEN IRON PIPE
- DISTINCTIVE BORDER
- MONUMENT LINE
- LOT LINE
- NEW EASEMENT LINE
- EXISTING EASEMENT LINE
- TIE LINE
- () LOT LINE TO BE REMOVED (PER THIS MAP)
- () RECORD DATA
- SFNF SEARCHED FOR NOT FOUND
- ① PER TRACT NO. 3315 "LAFFERTY SUBDIVISION",
BOOK 152 OF MAPS, PAGE 31
- PUE PUBLIC UTILITY EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- PSSE PRIVATE SANITARY SEWER EASEMENT
- PIE PRIVATE INGRESS/EGRESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSWE PUBLIC SIDEWALK EASEMENT
- (R) RADIAL BEARING

SEE SHEET 3 FOR
CURVE AND LINE TABLE



1" = 30'

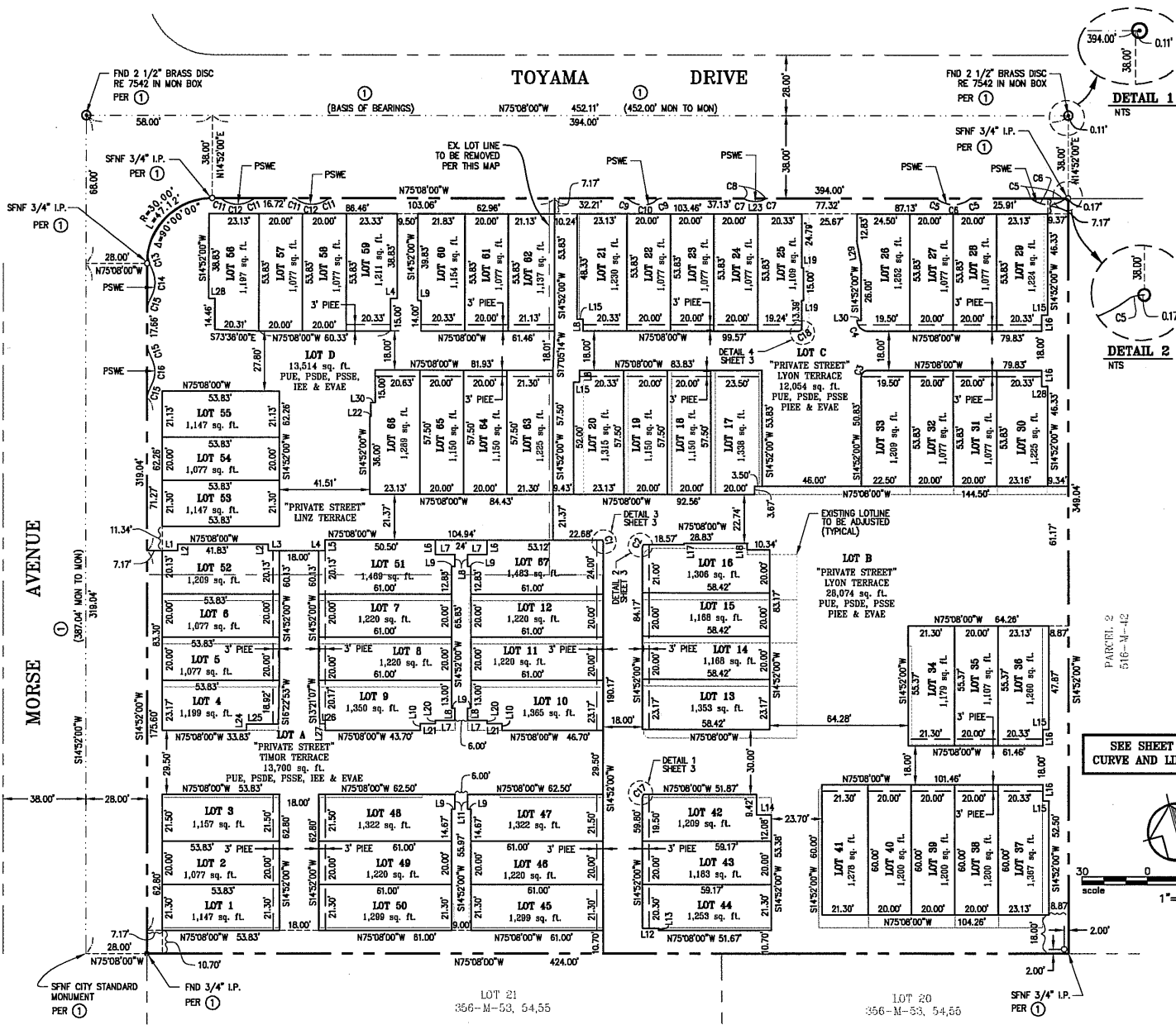


**UNDERWOOD &
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civil engineers and surveyors

1530 Oakland Road, Suite. A114
San Jose, CA 95131
PHONE: (408) 453-1222 FAX: (408) 453-1207

SHEET 2 OF 3

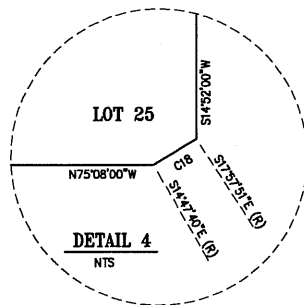
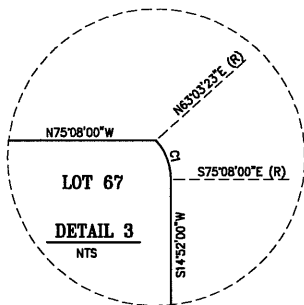
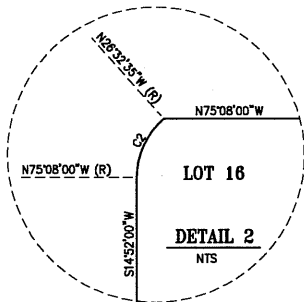
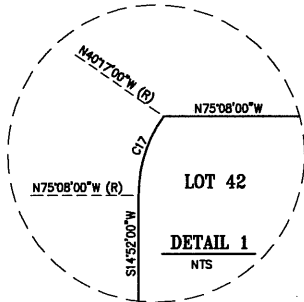
PARCEL 2 516-N-42



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JUNE 2006



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	1.09'	1.50'	41°48'37"
C2	1.70'	2.00'	48°35'25"
C3	4.71'	3.00'	90°00'00"
C4	7.85'	5.00'	90°00'00"
C5	1.95'	3.00'	37°16'03"
C6	14.96'	11.50'	74°32'07"
C7	3.96'	7.00'	32°23'15"
C8	113'	2.00'	32°23'15"
C9	219'	3.00'	41°43'52"
C10	14.20'	9.75'	83°27'43"
C11	1.94'	3.00'	36°58'54"
C12	14.85'	11.50'	73°57'47"
C13	6.94'	18.00'	22°04'38"
C14	13.88'	14.00'	56°47'52"
C15	5.10'	18.00'	16°13'50"
C16	14.55'	14.00'	59°32'00"
C17	2.13'	3.50'	34°51'00"
C18	1.27'	23.00'	3°10'11"

LINE TABLE		
LINE	LENGTH	BEARING
L1	7.00'	N75°08'00"W
L2	3.00'	S14°52'00"W
L3	5.00'	N75°08'00"W
L4	3.00'	N75°08'00"W
L5	4.87'	S14°52'00"W
L6	6.67'	S14°52'00"W
L7	9.00'	N75°08'00"W
L8	5.50'	S14°52'00"W
L9	1.50'	N75°08'00"W
L10	3.17'	S14°52'00"W
L11	6.83'	S14°52'00"W
L12	7.50'	N75°08'00"W
L13	1.00'	S14°52'00"W
L14	6.67'	N75°08'00"W
L15	2.80'	N75°08'00"W
L16	7.50'	S14°52'00"W
L17	0.63'	S14°52'00"W
L18	3.13'	S14°52'00"W
L19	0.97'	N75°08'00"W
L20	1.50'	S14°52'00"W
L21	6.80'	N75°08'00"W
L22	0.50'	N75°08'00"W
L23	1.90'	N75°08'00"W
L24	2.85'	S14°52'00"W
L25	14.46'	N75°08'00"W
L26	2.47'	N75°08'00"W
L27	3.00'	S14°52'00"W
L28	2.83'	N75°08'00"W
L29	10.20'	S03°33'24"W
L30	2.00'	N75°08'00"W



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San Jose, Ca. 95131
PHONE: (408) 453-1222 FAX: (408) 453-1207

SHEET 3 OF 3

DATE: 6/27/2006 3:52:25 PM PST